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SCDA-49

6 Attorney for Protestants Save the California Delta Alliance, et al.

7 **BEFORE THE CALIFORNIA STATE WATER RESOURCES CONTROL BOARD**

9 **IN RE CALIFORNIA WATERFIX**
10 **CALIFORNIA DEPARTMENT OF**
11 **WATER RESOURCES AND U.S.**
12 **BUREAU OF RECLAMATION**
13 **PETITION FOR CHANGES IN**
14 **WATER RIGHTS, POINTS OF**
15 **DIVERSION/RE-DIVERSION**

QUALIFICATIONS OF MICHAEL A.
BRODSKY

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1 Statement of Qualifications Michael A. Brodsky

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3 I received a B.A. from the University of California at Berkeley and a J.D. from Yale Law
4 School. I am licensed to practice law in California and am admitted to all the courts of this state, the
5 United States District Court for the Northern District of California, the United States Court of
6 Appeals for the Ninth Circuit, and The United States Supreme Court.

7 I am familiar with the evolution of the Bay Delta Conservation Plan (“BDCP”) into its
8 current guise as the California Water Fix (“CWF”). I have followed the development of the BDCP
9 since 2010, and have extensively reviewed the historical record of the BDCP back to its inception in
10 2006. I prepared and submitted extensive comments on the BDCP 2013 Draft EIR/S and the 2015
11 Revised Draft EIR/S. I also attended numerous BDCP public meetings and met separately in
12 Discovery Bay with then Deputy Director of the California Natural Resources Agency Jerry Meral
13 regarding the BDCP’s impacts on Discovery Bay and potential mitigations. I prepared and
14 submitted extensive comments on the CWF to the Army Corps of Engineers.

15 I am also familiar with the development and adoption of the Sacramento-San Joaquin Delta
16 Reform Act of 2009 (“Delta Reform Act”). I prepared and submitted extensive comments on the
17 development of the Delta Plan, pursuant to the Delta Reform Act, and attended numerous public
18 meetings of the Delta Stewardship Council and Delta Independent Science Board focusing on the
19 BDCP during and after preparation of the Delta Plan.

20 In 2013, I filed a Petition for Writ of Mandate seeking to set aside the Delta Plan for failure
21 to comply with the Delta Reform Act. I have litigated that case for over three years and extensively
22 engaged with materials expounding the relationship of the Delta Reform Act and other portions of
23 the Water Code to the BDCP, including the relationship between the BDCP, the Delta Reform Act,
24 and the respective roles and duties of the State Water Resources Control Board (“Board”) and the
25 Delta Stewardship Council with regard to the BDCP under the Delta Reform Act. Over the past six
26 years, I would estimate that I have spent over 1,000 hours studying the BDCP and its relationship to
27 the Delta and applicable California law.

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1 I have also spent extensive time boating and recreating throughout the Delta since I was 13
2 years old. I currently boat throughout the Delta and frequently spend time at my home in Discovery
3 Bay. I am familiar with the Delta and Discovery Bay and understand the import of the proposed
4 CWF with respect to the changes it will bring to the Delta and Discovery Bay.

5 s/Michael A. Brodsky

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